

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Idaho State Office  
1387 South Vinnell Way  
Boise, Idaho 83709-1657

In Reply Refer To:  
2540/1203 (933) P

February 2, 2004

EMS  
Instruction Memorandum No. ID-2004-032  
Expires: 09/30/2005

To: All Field Offices

From: State Director, Idaho

Subject: Clarification of the Delegation of Authority for Processing Color-of-Title Claims

**Program Area:** Lands and Realty – Color-of-Title Claims under 43 CFR 2540.

**Purpose:** This Instruction Memorandum (IM) clarifies the delegation of authority for processing claims based on the Color-of-Title Act of December 22, 1928 (45 Stat. 1069), as amended by the Act of July 28, 1953 (67 Stat. 227; 43 U.S.C. 1068, 1068a).

**Policy/Action:** An application for a Color-of-Title claim may be filed in either the District or Field Office. However, the decision to accept or deny a Color-of-Title claim rests with the District Manager, only after consulting with both the Field Solicitor and the ISO Branch of Lands and Minerals (ID-933). This authority may not be re-delegated further without State Director approval.

**Timeframe:** This IM is effective upon receipt.

**Background:** The Color-of-Title Act provides that any individual, group, or corporation who has evidence giving the appearance of having title to public lands which are administered by the BLM, and legal title to the lands remain vested in the United States, may file a Color-of-Title claim.

A review of ISO Delegation of Authority Manual Supplement -1203, dated April 13, 1998 revealed that the Delegation of Authority for processing Color-of-Title claims was not comprehensive in scope, thus did not address all types of Color-of-Title claims. This manual supplement will be modified to show that all actions relating to Color-of-Title Claims will be delegated to the District Manager, only after consulting with both the Solicitor and ISO Branch of Lands and Minerals (ID-933).

**Manual/Handbook Sections Affected:** This IM clarifies Idaho's Delegation of Authority for Color-of-Title and Omitted Lands claims (43 CFR 2540) and BLM ISO Manual Supplement -1203 (Delegation of Authority).

**Coordination:** This IM was coordinated with the Field Solicitors Office and State Office Staffs.

**Contact:** If you have any questions regarding this instruction memorandum please contact Jimmie Buxton at (208) 373-3863.

**Lower Snake River District with Union:** No Union notification or negotiation is required.

Signed by:  
K Lynn Bennett

Authenticated by:  
Susanna M. Henry  
Staff Assistant (ID-933)